

News from the FPPC



California Fair Political Practices Commission
428 J Street, Suite 620, Sacramento, CA 95814
www.fppc.ca.gov

For Immediate Release: February 19, 2009 Contact: Roman Porter at (916) 322-7761

FPPC Enforcement Decisions: February 19, 2009

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Thursday, February 19, 2009. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the February agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Reporting Violations

Committee for Yes on Measure F and Preston H. Wisner, a recipient ballot measure committee primarily formed to support Proposition F, a local bond measure, and its treasurer, Preston H. Wisner, failed to file a second pre-election campaign statement. **\$750 fine.**

Michael J. Malik Sr., Michael J. Malik, Sr. Trust, and MJM Manistee, Inc., jointly qualified as a single "major donor committee" under the Act for calendar year 2006. The committee filed a required semi-annual campaign statement but failed to disclose on the statement 17 contributions made during the reporting period totaling \$26,500. **\$4,000 fine.**

Gift Violations

California law imposes annual gift limits and requires that gifts received from reportable sources must be disclosed on a Statement of Economic Interests.

The following accepted gifts that exceeded the annual gift limits:

—more—

John Maltbie, while serving as County Manager for the County of San Mateo and a member of the TANF Planning Council and Health Plan of San Mateo, accepted a gift from a single source in the amount of \$1,250, exceeding the \$340 gift limit for 2004. **\$1,535 fine.**

David Finigan, while serving as a member of the Board of Supervisors for the County of Del Norte and a member of the local transportation committee, North Coast Emergency Medical Services, Regional Council of Rural Counties and the Children and Families Commission, accepted a gift from a single source in the amount of \$600, exceeding the \$340 gift limit for 2004. **\$610 fine.**

Lynne Ashbeck, while serving as a council member for the City of Clovis, accepted a gift from a single source in the amount of \$400, exceeding the \$360 gift limit for 2005. **\$310 fine.**

Carlos Alan Autry, while serving as Mayor of the City of Fresno and a member of the Fresno County Transportation Authority, the Council of Fresno County Governments, and the Fresno County Zoo Authority, accepted a gift from a single source in the amount of \$644, exceeding the \$360 gift limit for 2005. **\$654 fine.**

Robert Owen, while serving as City Attorney for the City of Rialto, accepted two gifts from a single source in the amount of \$470, exceeding the \$360 gift limit for 2005. **\$380 fine.**

Kevin Romick, while serving as a council member for the City of Oakley, accepted a gift from a single source in the amount of \$480, exceeding the \$360 gift limit for 2005. **\$390 fine.**

Sergio Sahagun, while serving as Planning Commissioner for the City of Montclair, accepted a gift from a single source in the amount of \$440, exceeding the \$360 gift limit for 2005. **\$350 fine.**

Richard Torres, while serving as City Administrator for the City of Montebello and an administrative committee member for the Southeast Animal Control Authority, accepted a gift from a single source in the amount of \$516, exceeding the \$360 gift limit for 2005. **\$426 fine.**

Marilynn Poe, while serving as a council member for the City of Los Alamitos, a director of Southern California Association of Governments, and a board member for Orange County Council of Governments, accepted a gift from a single source in the amount of \$390, exceeding the \$340 gift limit for 2004. **\$300 fine.**

Major Donor Violation

A major donor is a person or entity who makes contributions totaling \$10,000 or more in a calendar year and is required to file campaign reports detailing how much was contributed and to whom.

The following failed to file major donor reports as required by law:

California Speedway dba Auto Club Speedway of Fontana, failed to timely file a semi-annual campaign statement disclosing contributions totaling \$13,195 in 2007. **\$400 fine.**

Statements of Economic Interests Reporting Violations

California law requires elected officials, certain board members and governmental employees, and consultants employed by governmental entities to complete and file Statements of Economic Interests (SEIs or Form 700s). SEIs serve a dual purpose: they make a filer aware of personal economic interests relative to a governmental decision, and they are an important disclosure document for the public and media.

The following individuals failed to file their Statement of Economic Interests forms on time:

Henry Duro, San Bernardino County Indian Gaming Local Community Benefit Committee member, failed to timely file his 2007 Annual Statement of Economic Interests. **\$200 fine.**

Vince Duro, San Bernardino County Indian Gaming Local Community Benefit Committee member, failed to timely file his 2007 Annual Statement of Economic Interests. **\$200 fine.**

Scott Davis, Registered Nursing Board member, failed to timely file his 2007 Annual Statement of Economic Interests. **\$200 fine.**

#